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ATTORNEY FOR PLAINTIFF
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA, Plaintiff, vs. WILLIAM RICHARD NIELSEN, Defendant.	CR 11- 08-M-DWM OFFER OF PROOF
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Defendant William Richard Nielsen has signed a plea agreement
which contemplates his plea of guilty to the charge in the Indictment,

Coercion and Enticement of a Minor, in violation of 18 U.S.C. § 2422(b).

The Indictment also contains a forfeiture allegation. The Defendant's plea of guilty will be unconditional.

Elements. In order to prove the case against the defendant at trial, the United States would have to prove the following elements beyond a reasonable doubt:

First, the Defendant knowingly used a facility or means of interstate commerce to persuade, induce, entice or coerce an individual under the age of eighteen to engage in sexual activity;

Second, the Defendant believed that such individual was less than eighteen years of age; and

Third, the Defendant could have been charged with a criminal offense for engaging in the specified sexual activity.

In order for property to be forfeited, the United States would need to prove that the Defendant used a Samsung mobile phone, serial number A0000014719C33 (hex), to facilitate the commission of the offense.

Proof. If called upon to prove this case at trial, and to provide a factual basis for the defendant's plea, the United States would present,

by way of the testimony of law enforcement officers, lay and expert witnesses, and physical evidence, the following:

1. Defendant William Richard Nielsen spoke to a 12 year old girl, name withheld to protect the victim's privacy, via Livelinks live chat line. The girl resided outside of the state of Montana, and the Defendant resided in Missoula, Montana. At first, the Defendant believed the girl was 18 years old. But, during the phone conversations, the girl disclosed that she was 12 years old.
2. The Defendant and the girl exchanged phone numbers, and began sexting and having phone sex. Nielsen asked the girl to come to Montana promising her drugs. The girl did not know how to get to Missoula. Nielsen instructed her to take the bus, called the bus station, and provided her bus schedule information.
3. On January 4, 2011, the girl stole money from her mother's wallet, bought a bus ticket (in the Defendant's last name so she would not be identified as a minor), and traveled to Montana. The Defendant picked the girl up at the bus

station and walked her to his nearby apartment. In the next days, the Defendant repeatedly engaged in sexual intercourse with the girl. During that time, he also provided marijuana to the girl which he obtained using his Montana medical marijuana card.

DATED this 31st day of March, 2011.

MICHAEL W. COTTER
United States Attorney

/s/ Cyndee L. Peterson
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

* * *

I hereby certify that on March 31, 2011, a copy of the foregoing document was served on the following persons by the following means:

_1, 2__	CM/ECF
_____	Hand Delivery
_____	Mail
_____	Overnight Delivery Service
_____	Fax
_____	E-Mail

1. Clerk, U.S. District Court
2. Michael Donahoe
Federal Defenders Office
PO Box 250
Helena, Montana 59624-0250

/s/ Cyndee L. Peterson
Assistant U.S. Attorney